

For information

## **LegCo Panel on Health Services**

### **Proposed amendments to the Supplementary Medical Professions Ordinance**

This paper provides for Members' information the proposed amendments to the subsidiary legislation of the Supplementary Medical Professions Ordinance (the Ordinance) (Cap. 359).

#### **Background**

2. The Ordinance and its subsidiary legislation provide for the registration, discipline and the better control of persons engaged in professions supplementary to medicine. The five professions governed by the Ordinance as set out in the Schedule are: medical laboratory technologists, occupational therapists, optometrists, radiographers and physiotherapists. The Supplementary Medical Professions Council (the Council), set up under Section 3 of the Ordinance, is empowered to promote adequate standards of professional practice and conduct in the professions, co-ordinate and supervise the activities of the boards established under Section 5 and carry out any additional functions assigned to it by the Ordinance.

#### **The proposed amendments**

3. The Administration plans to introduce within the current legislative session some minor amendments to the following subsidiary legislation of the Ordinance as proposed by the Council -

- (a) Medical Laboratory Technologists (Registration and Disciplinary Procedure) Regulations (Cap. 359A);
- (b) Occupational Therapists (Registration and Disciplinary Procedure) Regulations (Cap. 359B);
- (c) Optometrists (Registration and Disciplinary Procedure)

Regulation (Cap. 359F);

(d) Radiographers (Registration and Disciplinary Procedure) Regulation (Cap. 359H); and

(e) Physiotherapists (Registration and Disciplinary Procedure) Regulation (Cap. 359J).

#### Appointment of counsel, solicitor or legal officer as Secretary

4. Part IV of the subsidiary legislation mentioned in paragraph 3 above details the proceedings at the hearing of the boards. At present, the Secretary for Justice (SJ) may, upon the application of Secretary of the Board, appoint a legal officer within the meaning of the Legal Officers Ordinance (Cap. 87) to carry out the duties which a secretary has to perform in an inquiry. To provide for operational flexibility, it is proposed that SJ may appoint a counsel or a solicitor, in addition to Government counsel, to carry out the duties of a secretary during an inquiry.

#### Format of the certificates of registration

5. Persons whose applications for registration or provisional registration have been approved will, upon payment of prescribed fees, be issued with a certificate of registration or a certificate of provisional registration in accordance with Sections 14(1) or 15(2) of the Ordinance. Section 18 of the Ordinance further provides that a registrant shall display in a conspicuous position in any premises in which he practises the profession certificate issued to him. Failure to do so is an offence. The format of the certificates, as now prescribed in the relevant subsidiary legislation of the Ordinance, includes such personal identifiers as the name, registration number, the Hong Kong Identity (ID) Card number and address of the registrant.

6. Under the code of practice on ID card numbers and other personal identifiers issued by the Office of the Privacy Commissioner for Personal Data, data users should not publicly display or disclose ID card numbers with the names of the ID card holders. To comply with the above code, it is proposed that the format of the relevant certificates be amended to remove the display of the ID card number.

#### Change of name of professional associations

7. Textual amendments to relevant provisions of the Occupational Therapists (Registration and Disciplinary Procedure) Regulations (Cap. 359B)

and the Optometrists (Registration and Disciplinary Procedure) Regulation (Cap. 359F) are proposed to reflect the change of names of the following professional associations -

- (a) Hong Kong Association of Occupational Therapists (香港職業治療師學會), which has been renamed as Hong Kong Occupational Therapy Association (香港職業治療學會); and
- (b) Hong Kong Society of Professional Optometrists, the Chinese name of which has been changed from “香港專業視光師學會” to “香港眼科視光師學會”.

#### Restrictions on practice for radiographers

8. Section 15 of the Radiographers (Registration and Disciplinary Procedure) Regulation (Cap. 359H) provides for the restrictions on the practice of radiographers with details set out in Schedule 4. It is proposed to amend the relevant provisions of Schedule 4 to clarify the restrictions on practice for diagnostic radiographers as regards accepting referral from chiropractors and medical practitioners in the case of medical exposure relating to the spine.

9. Members are invited to note the content of this paper.

Health, Welfare and Food Bureau  
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